

# MEMO ENDORSED



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
NEW YORK REGIONAL OFFICE  
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March 11, 2019

**Via UPS Overnight**

Hon. Edgardo Ramos  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: SEC v. Honig, et al.;  
No. 18 Civ. 8175 (ER)

Dear Judge Ramos:

We represent the Plaintiff, Securities and Exchange Commission ("Commission"), in this action. The Commission filed Plaintiff's Amended Complaint ("AC") on March 8, 2019 (DE 105), pursuant to the Stipulation and Order entered February 8, 2019. (DE 97.) The Commission writes upon request of Chambers to note that defendant John H. Ford ("Ford") was appropriately named in the AC because he has not been terminated from the above-captioned action. Ford entered into a bifurcated settlement in which he consented to non-monetary relief but remains in the action for the Court to resolve issues of monetary relief. (DE 28).

Today the Commission received a notification stating that the AC was deficient "[d]ue to the PDF case caption containing a party that has been terminated (John H. Ford), party must be added as a new party." The ECF office advised counsel for the Commission that this notice occurred because the DE 28 docket text entry stated "(John H. Ford terminated.)" Yet Ford was not "terminated." DE 28 is a judgment ordering permanent injunctions against Ford from violating certain statutes, a penny stock bar, and that any monetary relief to be ordered against Ford will be decided later by the Court upon motion of the Commission for disgorgement and/or civil penalties. Thus, this judgment was not a final judgment as to Ford, and he remains as a defendant in this action.

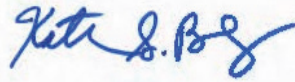
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Accordingly, the Commission respectfully suggests that Ford remains a party in the AC case caption as filed on March 8, 2019. Please let us know if we may be of further assistance to the Court.

Respectfully submitted,



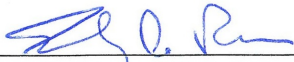
Katherine S. Bromberg

Enclosure

cc: All Defendants via email

The Clerk of Court is respectfully directed to undo termination of Defendant John H. Ford from the docket. Defendant Ford was terminated following the consent judgment "So Ordered" on September 21, 2018. Pursuant to section five of that judgment, *see* Doc. 28 at 4, the Commission reserved the right to move both for disgorgement of ill-gotten gains and for civil penalties against Defendant Ford. Consequently, Defendant Ford's termination from the docket was error.

SO ORDERED.



Edgardo Ramos, U.S.D.J

Dated: 3/11/2019

New York, New York